

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID D. HIGELMIRE,

Plaintiff,

Case No. 1:04-cv-702

v.

Hon. Gordon J. Quist

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed November 4, 2005, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that plaintiff's complaint is **DISMISSED** for the reasons stated in the Report and Recommendation.

Dated: November 29, 2005

/s/Gordon J. Quist
Gordon J. Quist
United States District Judge